

Article 3 – Definitions; Terms of Measurements and Calculation

25.03.02 – Words and Terms Defined

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Public Use Space – An open area associated with and located on the same tract of land as a principal building or group of buildings providing light and air, recreational space, or other similar purpose. Such open area must be accessible for use and enjoyment by the general public, when provided in a residential, retail or mixed-use project and so located and treated as to enhance the amenity of the development by providing landscaping features, screening, or a general appearance of openness. Internal landscaping within a parking facility, as required in Section 4.d. of the Landscaping, Screening and Lighting Manual, does not constitute Public Use Space. Development consisting primarily of office and/or industrial uses may include space accessible to the public or the employees on the site for the purpose of satisfying the public use space requirement.

Article 17 – Public Use Space, Landscaping and Screening, Utility Placement and Screening, Lighting, Sidewalks, and Shadows

25.17.01 – Public Use Space

- a. Purpose – Public use space requirement are intended to promote an appropriate balance between the built environment, public parks and other open spaces intended for respite from urban development, and to protect natural features and preserve the character of the City.
- b. General Requirements – Where provided, such space must be accessible for use and enjoyment by the general public when provided in a residential, retail or mixed-use project and so located and treated as to enhance the amenity of the development by providing landscaping features, screening, or a general appearance of openness. The Approving Authority may allow reasonable limitations on access to the public use space to meet safety or security concerns. Development consisting primarily of office and/or industrial uses may include space accessible to the public or the employees on the site for the purpose of satisfying the public use space requirement.
- c. Where development does not comply with the public use space requirement, the following regulations apply:
 1. Building expansions that exceed 50 percent and up to 100 percent of the existing gross floor area must provide a proportionate amount of public use space on the site using a factor of 0.2 times the percentage increase in gross floor area up to the required 20 percent public use space requirement (Example: 75 percent increase in existing floor area x 0.2 = 15 percent public use space requirement).

2. Any building expansion or cumulative addition that exceeds 100 percent of the existing gross floor area must provide public use space as set forth in Section 25.13.05. b. 1.
- d. Dedication of Public Use Space – Land may be dedicated to the City for public use in connection with the approval of a site plan or subdivision for the purpose of providing public parks, open areas, or recreation areas that will be owned and operated as part of the City’s public park system. Dedication must be made consistent with the recommendations of the relevant Plan indicating the locations where such public use space is desired.